

COMBINED DECLARATION AND POWER OF ATTORNEY

Attorney's Docket No.: 01MEL1

PATENT

As a below-named inventor, I HEREBY DECLARE THAT:

This Declaration is for the following type application: **ORIGINAL**; DESIGN; CONTINUATION; DIVISIONAL;
 CIP; National Stage of PCT; SUPPLEMENTAL.

(see attached two pages if SUPPLEMENTAL is indicated)

My residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Hydrogen Production**, the specification of which (check one): is attached hereto; _____ was filed on _____ as Application Serial No. _____ and _____ was amended on (or amended through _____, if applicable); _____ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____ (if any).

I hereby state that I have reviewed and understand the contents of the specification, claims, and any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56 (a).

In compliance with this duty there is attached an Information Disclosure Statement 37CFR1.97 (37CFR156 (a)).

I hereby claim Foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) designating at least one country other than the United States of America or filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

No such applications have been filed;

such applications have been filed as follows

(see attached page)

| <u>Prior Foreign Application(s)</u> | Priority Claimed |
|-------------------------------------|--------------------------------------|
| | <u>Under 35 USC 119</u> |
| Country: _____ | Month/Day _____ |
| Country: _____ | Year Filed: _____ Yes _____ No _____ |
| Country: _____ | Year Filed: _____ Yes _____ No _____ |
| Country: _____ | Year Filed: _____ Yes _____ No _____ |

POWER OF ATTORNEY

I hereby appoint Michael G. Petit, Registration No. 30,795, as my attorney with full powers of substitution and revocation, to prosecute his application and transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to:

Michael G. Petit

Phone: (805) 563-6556

P. O. Box 91929

Fax: (805) 563-6615

Santa Barbara, CA 93190-1929

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | |
|--|--|
| Full Name of First or Sole Inventor Thomas Happe | Citizenship Germany (DE) |
| Residence Address - Street Speckelsteinstrasse 55 | Post Office Address - Street Speckelsteinstrasse 55 |
| City (Zip) Euskirchen (53881) | City (Zip) Euskirchen (53881) |
| State or Country Germany | State or Country Germany |
| Date 5.2.2002 | Signature <i>Thomas Happe</i> |

Applicant or Patentee: Thomas Happe
Serial or Patent No.: Not Available
Filed or Issued: Concurrently Herewith
For: Hydrogen Production.

Attorneys Docket No.: 01MEL1

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(F) AND 1.27(B) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled: **Hydrogen Production**, described in

the specification filed herewith.
 application serial no. 60/269,872, filed 02/16/01.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

persons, concerns or organizations listed below*

FULL NAME Melis Energy, Inc.

ADDRESS P.O. Box 40960, Santa Barbara, CA 93140 USA

INDIVIDUAL SMALL BUSINESS CONCERN NON PROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (36 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Thomas Happe

NAME OF INVENTOR

Thomas Happe
SIGNATURE OF INVENTOR

5.2.2002
DATE

Applicant or Patentee: T. Happe
Serial No.: Not Available
Filed: Concurrently Herewith
For: Hydrogen Production

Attorney's Docket No.:01MEL1

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9 (f) and 1.27 (c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Melis Energy

ADDRESS OF CONCERN P.O. Box 40960, Santa Barbara, CA 93140

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **Hydrogen Production**, by inventor(s) **Thomas Happe**, described in

the specification filed herewith
 application serial no. 60/269,872, filed 02/16/02.
 patent no. _____, issued _____.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR1.9(d) or a nonprofit organization under 37 CFR1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____
ADDRESS _____
 INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 or Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Stephen Kurtzer

TITLE OF PERSON OTHER THAN OWNER President, Melis Energy

ADDRESS OF PERSON SIGNING P.O. Box 40960, Santa Barbara, CA 93140

SIGNATURE



DATE

2-6-02